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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/111,578	07/08/1998	OSAMU MAEDA	P--8F3MG	5971

7590

10/16/2003

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EXAMINER

LUU, THANH X

ART UNIT

PAPER NUMBER

2878

DATE MAILED: 10/16/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/111,578

Applicant(s)

MAEDA, OSAMU

Examiner

Thanh X Luu

Art Unit

2878

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 May 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,2 and 8-27 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2 and 8-27 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 23 May 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

This Office Action is in response to amendments and remarks filed May 23, 2003. Claims 1, 2 and 8-27 are currently pending.

Response to Amendment

1. The amendment filed December 4, 2001 is objected to under 35 U.S.C. 132 because it introduces new matter into the disclosure. 35 U.S.C. 132 states that no amendment shall introduce new matter into the disclosure of the invention. The added material which is not supported by the original disclosure is as follows: Figures 4 and 5 being designated as showing a configuration in accordance to Applicant's invention. That is, Applicant has now added the descriptions of Figures 4 and 5 as pertaining to Applicant's invention; such descriptions were drawn previously to prior art, thus, new matter has been added.

Applicant is required to cancel the new matter in the reply to this Office Action.

Drawings

2. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the leading end and the entraining end of the magnetic tape of claims 1, 26 and 27, a second light receiving element of claims 18-21, the light emitting element and the two receiving elements arranged on one substrate of claims 22-25 must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1, 2 and 8-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Applicant's admitted prior art (Figures 2-5), hereinafter, AAPA.

Regarding claims 1, 26 and 27, AAPA (Figure 3) discloses a light emitting element (41) and light receiving element (not shown) for detecting the leading or entraining end of a magnetic tape within a cassette, a light guiding member (52) for guiding the light from the light emitting element into the cassette for conducting leading and entraining end detection, and for directly guiding the light onto the side of a reel (12), a light receiving element (51) for receiving light guided onto the side of the reel, a light guiding portion and screening portion (12) provided on the reel; the light emitting element is provided under the deck chassis; and the light guiding member guides the light from the light emitting element to the light receiving element under the deck chassis by way of the light passing or screening portion. Thus, as demonstrated by AAPA, a reel rotation and detection mechanism for a video cassette deck are notoriously well known. Various configurations of light emitting elements and light

detecting elements are disclosed. However, AAPA (Figure 3) do not specifically disclose the reel detection mechanism as consisting of a light path from the light emitting element below the deck chassis to a point above the deck chassis and directed by way of a light passing portion on the reel when aligned with an opening portion on the deck chassis to the light receiving element under the deck chassis. However, AAPA teaches (see Figures 4 and 5) disposing the light emitting and receiving elements below the deck chassis as claimed. The apparatus of AAPA (Figure 4) would inherently include an opening in the deck chassis (20) for light from reflectors (44a, 44b) to be transmitted to light receiving elements (42a, 42b), otherwise the leading and entraining end could not be detected. It would have been obvious to a person of ordinary skill in the art at the time the invention was made to dispose the light receiving element below the deck chassis in the AAPA (Figure 3) to more easily mount and replace light emitters and receivers.

Regarding claims 8 and 9, AAPA (Figure 3) discloses the light guiding member having a pillar portion (52) extending through the deck chassis to guide the light from the light emitting element into the cassette (not shown) and sideways to illuminate the light receiving element. AAPA (Figure 3) does not specifically disclose a branching portion. AAPA (Figures 4 and 5) teaches a light pillar having a branching portion. Thus, AAPA (Figures 4 and 5) recognizes that a branching portion reduces light loss by further guiding the light towards different points. It would have been obvious to a person of ordinary skill in the art at the time the invention was made to provide a light branching portion in AAPA (Figure 3) to reduce light loss and improve detection.

Regarding claims 10-25, AAPA (Figures 3-5) discloses the claimed invention as set forth above. AAPA (Figure 3) further discloses the disk portion of the reel having a light passing and screening portion (12, 54). AAPA (Figure 3) does not specifically disclose a second light receiving element. However, AAPA (Figure 4) teaches of light receiving elements (42a, 42b) provided under the deck chassis and a reflection plate (44a, 44b) for reflecting the light downwards from above the deck chassis. Thus, AAPA (Figure 4) recognizes that an additional light receiving element can be used to provide additional detection signals. It would have been obvious to a person of ordinary skill in the art at the time the invention was made to provide a second light receiving element as desired in the apparatus of AAPA (Figure 3) increase reliability by obtaining a second detected signal.

Response to Arguments

5. Applicant's arguments with respect to claims 1, 2 and 8-27 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not

Art Unit: 2878

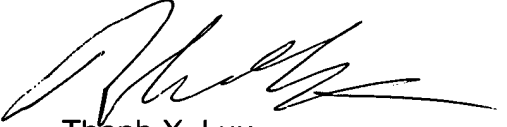
mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thanh X. Luu whose telephone number is (703) 305-0539. The examiner can normally be reached on Monday-Friday from 6:30 AM - 4:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Porta, can be reached on (703) 308-4852. The fax phone number for the organization where the application or proceeding is assigned is (703) 308-7722.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

txl
October 10, 2003



Thanh X. Luu
Patent Examiner